

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

MID-PACIFIC REGION

**SOUTH-CENTRAL CALIFORNIA AREA OFFICE
FRESNO, CALIFORNIA**

Draft FINDING OF NO SIGNIFICANT IMPACT

TULARE IRRIGATION DISTRICT THOMPSON REGULATION BASIN

**Central Valley Project
Sacramento, California**

FONSI-09-04

Recommended by:

Judi Tapia
Supervisory Natural Resource Specialist
South Central California Area Office

Date: _____

Concurred by:

Laura Myers
Resource Management Division Chief
South Central California Area Office

Date: _____

Approved by:

Mike Delamore
Acting Deputy Area Manager
South Central California Area Office

Date: _____

This page intentionally left blank

Draft FINDING OF NO SIGNIFICANT IMPACT Tulare Irrigation District Thompson Regulation Basin

In accordance with the National Environment Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation,) has determined that an environmental impact statement is not required for the approval of a grant and issuance of funds for Tulare Irrigation District (TID) to construct a regulation basin, inlet and outlet structures, and associated pipelines to connect to the Rocky Ford Canal upstream and downstream. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA) Number 09-04, *Tulare Irrigation District Thompson Regulation Basin*, dated April 2009, and is hereby incorporated by reference.

Reclamation proposes to approve the CALFED Water Use Efficiency Grant for the construction of the Thompson Regulation Basin and appurtenances. The 6.5-acre basin would be constructed by excavating the area to a depth of about one foot and using the excavated material to raise the berm around the basin to about 5 feet resulting in a storage capacity of about 32.5 acre-feet (AF). The water inlet structure at the northeast corner and inlet pipeline already exist; however, a new pipeline would replace the existing pipeline to accommodate increased flows associated with the project. A new outlet structure and pipeline would also be constructed from the southeast portion of the basin.

BACKGROUND

TID applied for a CALFED Water Use Efficiency Grant from Reclamation for construction of the Thompson Regulation Basin. The project site is located about 4.5 miles west of the City of Tulare, on the northeast corner of Prosperity Avenue (Avenue 240) and Road 68, in Tulare County on a parcel of land obtained by TID in 2008.

The basin will be used to store and release water when required, receiving available excess water and supplying water downstream when the delivery system is short on supply. Excess water is available in the delivery system when farmers stop irrigation, and before ditch tenders have reduced the amount of water flowing downstream. If the excess water is not diverted into the basin, there will be irrecoverable losses of water. The basin will allow water to be saved and released later when farmers downstream demand the water. This system will conserve about 400 AF of water per year.

Reclamation's finding that implementation of the Proposed Action will result in no significant impact to the quality of the human environment is supported by the following findings:

Findings

Air Quality

Air emissions would occur during initial construction and would be minimal during operation and maintenance. Construction emissions were modeled for regulation basin construction using a construction emissions calculator. NO_x and PM₁₀ emissions were 8.56 and 0.16 tons per year, respectively. VOC emissions were not calculated because equipment emissions factors were not available; however, VOC emissions are typically less than emissions for NO_x and PM₁₀ for earth-moving projects and would also not be expected to exceed the general conformity de minimis thresholds.

The Proposed Action would implement the air quality related Environmental Protection Measures (EPM) identified in the EA which include those specified under Regulation VIII of the San Joaquin Valley Air Pollution Control District for any type of ground-moving activity to reduce construction-related PM10 emission impacts. The Proposed Action would not exceed Environmental Protection Agency conformity thresholds and would implement EPMs that mirror measures recommended by the air district, thereby minimizing construction effects. Since all regulatory requirements will be complied with, the impacts to air quality are less than significant.

Water Resources

Implementation of the Proposed Action would assist TID in meeting the objectives of providing flexibility and efficiency in water delivery to farmers for agricultural use, reduce water that is spilled outside TID, and provide groundwater recharge.

The Proposed Action would not impede water conveyance or deliveries during construction or operation. The Proposed Action will increase basin storage capacity throughout TID. Also, since the basin will store surface water and provide a more reliable source of surface water for the farmers when requested, the farmers will be less likely to use their deep groundwater well pumps and thus also conserve energy.

TID would prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit a Notice of Intent to the Central Valley Regional Water Quality Control Board. The project would implement measures in accordance with the SWPPP and implement EPMs to result in minimum impacts to water quality. Also as part of the Proposed Action, TID would implement EPMs to prevent any temporary, localized erosion or water quality effects.

Overall the project has some slight positive impacts (400 AF out of a 171,000 AF CVP contract supply) on water supply and slight negative impacts on water quality.

Land Use

Construction of the basin would take 6.5 acres of land out of agricultural crop production; however, public utility structures, such as TID facilities, are agricultural-compatible land uses and are allowed in the AE-40 Zone by Special Use Permit from the Tulare County Planning Commission. The creation of the regulation basin would increase surface water supplies to support operation and survival of agricultural entities in Tulare County.

Basin and outlet pipeline construction activities would occur within TID-owned parcels and would not disturb adjoining lands or existing Williamson Act contracts. Inlet service pipeline would replace the existing pipeline and follow the same alignment along farm access roads. TID-owned land would be used for equipment staging during construction and would not affect surrounding properties. Implementing the Proposed Action would have no effect on current or future land use plans.

Biological Resources

The agricultural lands in the project area have been disturbed by regular tilling to a depth of about 36 inches for planting various crops. There is no habitat on-site for any special status species except potential foraging habitat for the San Joaquin kit fox. Development of the Proposed Action would seasonally remove 6.5 acres of potential foraging ground for the San Joaquin kit fox. Swainson's hawks may occur at the site.

The project would implement EPMs to minimize impacts to biological resources. Compliance with the Endangered Species Act will be completed prior to completion of the EA or signature of the FONSI.

Cultural Resources

The effects to historic properties pursuant to 36 CFR Part 800.5(b) of the proposed construction of the 6.5-acre basin and associated pipelines are still being determined. The agricultural land in the project area has been heavily disturbed by being regularly tilled to a depth of about 36 inches for planting various crops. The existing TID irrigation pipeline that would be replaced by a new inlet pipeline would likely not be eligible for inclusion in the NRHP because the TID system has been extensively modified or created since 1951 and represents common structures and features found throughout the Central Valley (SHPO, 2006). The project would implement one EPM described in Table 2-1. Replacement of the inlet pipeline for the Proposed Action was not evaluated as part of the TID ISMND (TID 2009). The inlet pipeline is buried in a ditch adjacent to farm access roads that have been heavily disturbed. Reclamation will determine appropriate compliance with Section 106 of the NHPA prior to completion of this EA.

Indian Trust Assets

There are no tribes possessing legal property interests held in trust by the United States in the water involved with this action, nor is there such a property interest in the lands designated to receive the water proposed in this action. There are no ITAs, Indian Reservations, or public domain allotments found within the water districts involved. Therefore, the Proposed Action would not affect ITAs.

Socioeconomic Resources

Implementation of the Proposed Action would result in minor construction activities (grading, excavation and trenching, and pipeline installation) and would be completed within a one-year period. The ability to save 400 af/y of water in the TID would help to keep water costs low, thereby benefitting the farming industry. There will be a small positive impact on socioeconomic resources as a result of the Proposed Action.

Environmental Justice

No minority or low income populations were identified that would be adversely affected by construction or operation of the regulation/recharge basin. The project would help maintain agricultural production and seasonal employment, including employment for migrant farm workers. There would be no impact to minority or disadvantaged populations as a result of the Proposed Action.

Cumulative Effects

The Thompson Regulation Basin would be part of TID's larger project to construct new administration, operations, and maintenance facilities and an associated water management (recharge) basin on 40 acres. The larger TID project would provide a more modern facility to increase TID service capabilities. The 6.5-acre recharge basin would be part of TID's 1,110 acres of recharge basins and would not have adverse cumulative effects on surface water. TID's recharge basins cumulatively benefit local groundwater conditions and decrease the depletion of groundwater supplies and lowering of the groundwater table by providing recharge capabilities.

The Proposed Action and TID's larger 40-acre project would result in some loss of foraging habitat for the San Joaquin kit fox; however, this cumulative effect would be minor because of the extensive surrounding habitat. This Proposed Action and TID's larger 40-acre project, would not have adverse cumulative effects on air quality, land use, cultural resources, ITAs, socioeconomics, or environmental justice. Air quality EPMs, implemented during construction, would reduce cumulative effects to regional air quality. Recharge basins would be a compatible land use with surrounding agricultural lands and would not interfere with existing Williamson Act contracts or agricultural zoning in the surrounding area. Reclamation will determine appropriate compliance with Section 106 of the NHPA and the impacts on cultural resources prior to completion of this EA. Overall there would be no cumulative impacts caused by the Proposed Action.